

Docket No.
19357-095242

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

LOW MOUNTED POWERED LIFTGATE OPERATING MECHANISM AND CONTROL SYSTEM

the specification of which
(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International
Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

| | | | |
|-------------------|--------------------|---------------------------------|--------------------------|
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | <input type="checkbox"/> |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

| | |
|--------------------|--------|
| Robin W. Asher | 41,590 |
| David J. Simonelli | 36,680 |
| Jay S. Paranjpe | 45,486 |
| Kevin S. MacKenzie | 45,639 |

Send Correspondence to: **Mr. Robin W. Asher**
Clark Hill, PLC
500 Woodward Avenue, Suite 3500
Detroit, Michigan 48226-3435

Direct Telephone Calls to: *(name and telephone number)*
Robin W. Asher Phone No.: (313) 965-8300

| | |
|---|------|
| Full name of sole or first inventor Terry P. Cleland | |
| Sole or first inventor's signature | Date |
| Residence 38 Sandringham Crt., Brampton, Ontario, L6T 2Z3, Canada | |
| Citizenship Canadian | |
| Post Office Address | |
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|---|------|
| Full name of second inventor, if any Gerald J. Hamers | |
| Second inventor's signature | Date |
| Residence 8255 Kipling Avenue, Woodbridge, Ontario, L4L 2A5, Canada | |
| Citizenship Canadian | |
| Post Office Address | |
| | |

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|--|------|
| Full name of third inventor, if any Gary Spicer | |
| Third inventor's signature | Date |
| Residence 2120 Rathburn Road East, Unit #77, Mississauga, Ontario, L4W 2S8, Canada | |
| Citizenship Canadian | |
| Post Office Address | |
| | |

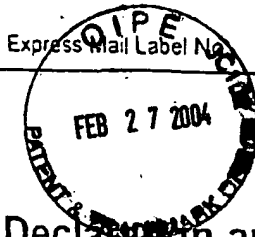
| | |
|--|-----------------------|
| Full name of fourth inventor, if any John W. Miller | |
| Fourth inventor's signature <i>J. Miller</i> | Date <i>SEP 29/03</i> |
| Residence 2117 Gordon Street, Innisfil, Ontario, L9S 1C5, Canada | |
| Citizenship Canadian | |
| Post Office Address | |
| | |

| | |
|--|------|
| Full name of fifth inventor, if any Zbyslaw Staniewicz | |
| Fifth inventor's signature | Date |
| Residence 137 Euclid Avenue, Scarborough, Ontario, M1C 1K2, Canada | |
| Citizenship Polish | |
| Post Office Address | |
| | |

| | |
|-------------------------------------|------|
| Full name of sixth inventor, if any | |
| Sixth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

Express Mail Label No.

Page 1 of 4



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I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

| (Number) | (Country) | (Day/Month/Year Filed) | Priority Not Claimed |
|----------|-----------|------------------------|--------------------------|
| _____ | _____ | _____ | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |
| _____ | _____ | _____ | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------|----------------------------|
| <u>60/413,894</u> | <u>September 27, 2002</u> |
| (Application Serial No.) | (Filing Date) |
| <u>60/416,106</u> | <u>October 4, 2002</u> |
| (Application Serial No.) | (Filing Date) |
| <u>60/452,769</u> | <u>March 7, 2003</u> |
| (Application Serial No.) | (Filing Date) |

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|---------------------------------|---------------------------------|---------------------------------|
| <u> </u> | <u> </u> | <u> </u> |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| <u> </u> | <u> </u> | <u> </u> |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| <u> </u> | <u> </u> | <u> </u> |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |

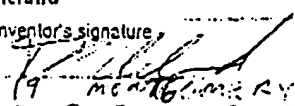
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

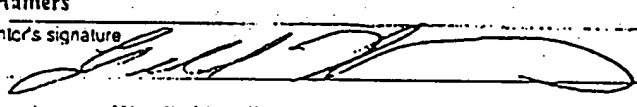
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| Robin W. Asher | 41,590 |
| David J. Simonelli | 36,680 |
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| Kevin S. MacKenzie | 45,639 |

Send Correspondence to: Mr. Robin W. Asher
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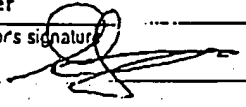
Direct Telephone Calls to: *(name and telephone number)*
Robin W. Asher Phone No.: (313) 965-8300

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|-------------------------------------|---|
| Full name of sole or first inventor | Terry P. Cleland |
| Sole or first inventor's signature |  |
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| Citizenship | Canadian |
| Post Office Address | |
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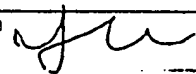
Date: SEPT 29/03
L6Y 3H2

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|--------------------------------------|--|
| Full name of second inventor, if any | Gerald J. Hamers |
| Second inventor's signature |  |
| Residence | 8255 Kipling Avenue, Woodbridge, Ontario, L4L 2A5, Canada |
| Citizenship | Canadian |
| Post Office Address | |
| | |

Date: SEPT 29/03

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|---|------|
| Full name of third inventor, if any Gary Spicer | |
| Third inventor's signature  | Date |
| Residence 2120 Rathburn Road East, Unit #77, Mississauga, Ontario, L4W 2S8, Canada | |
| Citizenship Canadian | |
| Post Office Address | |

| | |
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| Full name of fourth inventor, if any John W. Miller | |
| Fourth inventor's signature | Date |
| Residence 2117 Gordon Street, Innisfil, Ontario, L9S 1C5, Canada | |
| Citizenship Canadian | |
| Post Office Address | |

| | |
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| Full name of fifth inventor, if any Zbyslaw Staniewicz | |
| Fifth inventor's signature  | Date Sep 28, 2003 |
| Residence 137 Euclid Avenue, Scarborough, Ontario, M1C 1K2, Canada | |
| Citizenship Polish / Canadian (DUAL) | |
| Post Office Address | |

| | |
|-------------------------------------|------|
| Full name of sixth inventor, if any | |
| Sixth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |